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Attorney for Philips Medical Capital LLC

UNITED STATES BANKRUPTCY COURT
 FOR THE EASTERN DISTRICT OF WASHINGTON

In re
 Kennewick Public Hospital District,
 Debtor.

Case No. 17-02025-FPC9

**APPELLEE'S STATEMENT OF
 ELECTION TO PROCEED IN
 DISTRICT COURT**

This form should be filed only if all of the following are true:

- ☒ this appeal is pending in a district served by a Bankruptcy Appellate Panel,
- ☒ the appellant(s) did not elect in the Notice of Appeal to proceed in the District Court rather than in the Bankruptcy Appellate Panel,
- ☒ no other appellee has filed a statement of election to proceed in the district court, and
- ☒ you elect to proceed in the District Court.

Part 1: Identify the appellee(s) electing to proceed in the District Court

1. Name(s) of appellee(s):

Philips Medical Capital LLC

2. Position of appellee(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

PHILIPS MEDICAL CAPITAL'S STATEMENT OF ELECTION. ...
 (NO. 17-02025-FPC9) - 1

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1 For appeals in an adversary proceeding.

2 ☐ Plaintiff

3 ☐ Defendant

4 ☐ Other (describe) _____

5 For appeals in a bankruptcy case and not in an adversary proceeding.

6 ☐ Debtor

7 ☒ Creditor

8 ☐ Trustee

9 ☐ Other (describe) _____

10
11 **Part 2: Election to have this appeal heard by the District Court (applicable**
12 **only in certain districts)**

13 I (we) elect to have the appeal heard by the United States District Court rather than
14 by the Bankruptcy Appellate Panel.

15
16 **Part 3: Sign below**

17 DATED this 21st day of November, 2017.

18 FOX ROTHSCHILD LLP

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21 By /s/ Bruce J. Borrus
22 Bruce J. Borrus, WSBA No. 11751
23 Attorneys for Philips Medical Capital
24 LLC
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